## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		§	
	Wipfel et al	§	
		§	
Serial No.: Continuation of 09/731,422		§	Group Art Unit: 2151
		§	
Filed:	Herewith	§	
		§	Examiner:
For:	METHOD FOR DETECTING AND	§	
	RESOLVING A PARTITION	§	
	CONDITION IN A CLUSTER	§	

## PRELIMINARY AMENDMENT

Commissioner For Patents Box NEW APPLICATION Washington, DC 20231

Sir:

Prior to the initial examination of the above application please enter the following:

## **IN THE ABSTRACT:**

Please delete the Abstract paragraph in its entirety and add the following:

- - A method and system to detect and resolve a partition condition in a cluster of computers in a networked environment is described. The method can include: creating a scratch pad area accessible by the cluster of computers; dividing the scratch pad into a plurality of slots; recording in the plurality of slots, a generation number and a list of known nodes by each one of the plurality of notes, wherein an identifier is written in the list for each node that is known to a writing node; comparing each slot of the plurality of slots to ensure the generation number and the list of known nodes matches in each slot of the plurality of slots; and

 resolving the partition condition by creating a list of surviving nodes and re-allocating appropriate resources to each of the surviving nodes. - -

Respectfully submitted,

David L. McCombs

Reg. No. 32,271

Dated: 6 · 12 · 01

HAYNES AND BOONE, LLP 901 Main Street, Suite 3100 Dallas, Texas 75202-3789 Telephone: 214/651-5533 Facsimile: 214/651-5940

File: 26530.60

D-906217

This paper is being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37

CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.